

**MINUTES**  
**NATURAL RESOURCES COMMISSION**  
**September 13, 2018**  
**Porcupine Mountain Wilderness State Park**  
**33303 Headquarters Road**  
**Ontonagon, MI 49953**

**Present for the Natural Resources Commission**

Vicki Pontz, chair  
J.R. Richardson, vice-chair  
John Walters  
Louise Klarr  
Chris Tracy

**Present for DNR staff**

Bob Reichel, legal counsel, Office of the Attorney General  
Keith Creagh, director  
Bill O'Neill, deputy director  
Trevor VanDyke, legal/legislative director

**COMMITTEE OF THE WHOLE**

**Chair Vicki Pontz** called the Committee of the Whole meeting to order at 3:18 p.m. and began the meeting with the Pledge of Allegiance.

**Pontz** presented a resolution of appreciation to **Jeff Gaertner** and the staff of the Porcupine Mountains Wilderness State Park (PMWSP) for assisting in the success of this meeting.

**Commissioner Richardson** also thanked **Stacy Haughey, Kristi Dahlstrom** and **Cheryl Nelson** for their assistance in putting the events and meeting together.

**Pontz** also reported that **Commissioner Christine Crumbaugh** had resigned due to other commitments that would not allow her to give the full commitment this commission deserves.

**Director's Report**

**Parks and Trails Update**

Parks and Recreation Division (PRD) chief **Ron Olson** provided that lodging nights in the Western Upper Peninsula (UP) alone are up over 3,000, statewide numbers are up over 90%. Recreation passport, harbor reservation and ORV numbers are also up. **Olson** thanked staff in the UP for their hard work due to the storm damage; McClain State Park is back up and running and Fort Wilkins State Park is set to have 150 volunteers from Michigan Cares for Tourism on September 17-18, doing rehab work at the park. **Olson** talked about the relationship with Gogebic Community College (GCC) and their ski program.

**Jim VanderSpoel**, the professor from GCC in charge of the ski program shared that the cooperative agreement between GCC and PMWSP has been in place for seven years with use numbers ticking upward. When the agreement began there were approximately 4,000 skier visits, now the number is around 14,000. There are about 1,500 ticketed color rides. They want to continue this growth and make the park and ski area self-sustaining and they want to increase utilization all around; summer-winter operation. Preliminary survey numbers will be released around the first of the year. **Olson** added that the use of ziplines, mountain and fat tire biking among other things are being considered. **Director Creagh** complimented the dedicated UP staff for all their hard work in the face of all the challenges they have faced due to the weather. **Commissioner Richardson** thanked **Mr. VanderSpoel** for the professionalism of his students for assisting with the previous day's events.

#### **Recognition of Chronic Wasting Disease (CWD) Workgroup Member Al Ettenhofer**

**Director Creagh** and **Chair Pontz** recognized and thanked **Al Ettenhofer**, a member of the CWD Workgroup for assisting in delivering recommendations that laid the critical groundwork for the commission and the department to evaluate, investigate and implement practices and regulations to address the CWD issue. Other workgroup members included **Dr. James Averill, Dr. Kelly Straka, Dr. Bill Porter, Dr. George Smith, Kent Syers, Chad Thelen, Paul Rose, and Bill Rustem.**

#### **UP Sportsmen's Alliance (UPSA) Conservationist of the Year Award:**

##### **Commissioner J.R. Richardson**

UP Sportsmen's Alliance president **Tony Demboski** presented **Commissioner Richardson** with the Conservationist of the Year Award for his dedication to the sportsmen and women of the UP.

#### **Recognition of Former Commissioner/Chairman John Matonich**

**Director Creagh, Chair Pontz** and the commission honored former chairman **John Matonich** for his service to the commission and the department. **Creagh** said that **Matonich's** outstanding leadership, enduring commitment and extraordinary public service in protecting natural resources to improve the quality of life for all Michigan residents and visitors will make a difference long into the future. **Chair Pontz** added that **Matonich** is a true leader and always strives to go the extra mile as shown in his dedication to Michigan and its natural resources. **Matonich** was then presented with a white pine plaque and resolution of appreciation recognizing him for his years of dedicated service.

#### **Youth Conservation Council (YCC) Update**

Member **Jonathan Baker** provided a update on the YCC. **Baker** talked about the importance of the group and what it means to him. He likes the opportunity to get different perspectives from the various members. **Baker's** goal is to get more youth involved in Michigan's outdoors. His involvement has included taking youth fishing, trail riding and visits to Isle Royale. More information can be found on the YCC Facebook page at <https://www.facebook.com/michigan.ycc>.

#### **MUCC Convention Update**

**Amy Trotter**, deputy director, and **George Lindquist**, president of MUCC, presented an overview of their annual convention held in Clare this summer. **Lindquist** said that **Bob Doepker**, retired wildlife biologist, received MUCC's Conservationist of the Year Award for his development of deer winter range mapping. **John Ozoga** received the Ben East Award for his work as a researcher and biologist on whitetail deer in Michigan. In addition, **Lindquist** shared

the resolutions that were passed at the group's annual convention. A complete list of MUCC's 2018 Annual Convention Results-Policy Resolutions may be found on the MUCC website.

### **Copper Peak Presentation**

**Bob Jacquart**, executive director of the Copper Peak Organizing Committee, provided a passionate presentation on the efforts to return Copper Peak to its rightful place as the home of competitive ski flying in the western hemisphere. **Jacquart** believes Copper Peak is a secret weapon that can turn the world's attention to Michigan's scenic UP. The goal is to attract visitors who will fall in love with the UP's unique lifestyle, reinvigorate the area's talent base and spur business investment in the UP.

### **Public Act 288 (PA 288) in the Upper Peninsula**

**Scott Whitcomb** from forest resources division gave a brief summary of what has been done to date on the road inventory throughout the state, with an emphasis on the UP portion. PA 288 was put into legislation by **Governor Snyder** to standardize regulations between southern Michigan and the UP for ORV use of forest roads. The department has completed this process in the northern Lower Peninsula, resulting in 83 percent of forest roads being open to ORV use. 5,600 miles of forest roads have been mapped in the UP and the department is proposing that 99 percent of those roads remain open. **Whitcomb** said that a decision for the recommendations for all areas of Michigan is expected by director **Creagh** in December.

### **Upper Peninsula Habitat Workgroup Update**

**Jim Hammill** said that the workgroup was formed in 2012-13 because of the extremely harsh winters in the UP to improve and conserve critical winter deer habitat. The workgroup has focused on comprehensive habitat strategies, primarily for lands not managed by the department. Digital maps have been put together of UP deer yards, including ownership patterns and identifying a management plan for each deer yard to improve winter survival of deer. **Hammill** shared that the workgroup has qualified for receive funds for their mission from the Safari Club International Foundation.

### **Chronic Wasting Disease Update**

**Deputy Director Bill O'Neill** and wildlife division's deer specialist **Chad Stewart** presented an update on all that is occurring within the department concerning the CWD issue. Although no CWD-positive deer have been found in the UP, there was a positive deer in a captive cervid facility in Wisconsin, 17 miles from the Michigan border. The department is concentrating on additional surveillance in the western UP, while also doing surveillance in areas of the Lower Peninsula where the disease currently exists. **Stewart** added that for the upcoming deer seasons, the department has increased the number of deer check stations in the 16-county CWD management zone and established drop boxes with 24 hour-a-day availability where hunters can drop deer heads for testing.

**O'Neill** spoke about the current progress on the CWD resolutions passed by the commission in August. The first resolution seeks to have an antler point restriction (APR) in Michigan's thumb area; public meetings have been scheduled and a hunter survey is being prepared. The second resolution required evaluation of an experimental APR CWD assessment area; the department is working on a survey and will be planning public meetings with results expected in 2019. The third resolution seeks a re-evaluation of the mandatory APR process; in 2019, a new workgroup will be convened by the commission and will review the guidelines. The final resolution requires engagement with stakeholders regarding the management of deer and CWD; the department has a number of strategies planned to achieve this goal. **O'Neill** also provided an overview of

the extensive communication plan which includes posters, website updates, a UP CWD brochure, Facebook ads, among other items; the teams from marketing and wildlife are working to compile a strategic communication blitz.

### **Committee Reports:**

**Michigan State Parks Advisory Committee: Commissioner Klarr** indicated that during the morning's meeting the group received several reports including updates on the various storms and the millions of dollars of damage caused in the UP. The committee also received an update on a long-term solution for road construction needs in PMWSP. **Klarr** added that on September 17, 150 volunteers from the Michigan Cares for Tourism group will be providing necessary work at Fort Watkins State Park.

**NRC Policy Committee on Wildlife and Fisheries: Commissioner Richardson** said that they received reports from fisheries division chief **Dexter** on a fish virus affecting largemouth bass that is not expected to have an impact at the population level; a report from **Seth Herbst** on department attempts to control red swamp crayfish, indicating that over 11,000 have been removed to date. **Herbst** also provided information on the upcoming fisheries orders. **Todd Kalish**, a former department employee, now assistant fisheries chief for Wisconsin, reported on brown trout management in the Great Lakes. **Richelle Winkler**, associate professor of sociology and demography at Michigan Technical University presented a study on changes in angler participation. **Bill Scullon** and **Dean Beyer** from the wildlife division reported on the department's participation in a program by the National Parks Service to translocate wolves to Isle Royale National Park. **Scullon** also reported on major infrastructure improvements being made at Sturgeon River Sloughs wildlife management area in partnership with Ducks Unlimited, an upcoming meeting of the Bear Forum in December, and the intent to translocate sharp-tailed grouse to the UP in 2019. The committee also received a report from **John DePue** on white-nose syndrome in bats.

### **PUBLIC APPEARANCES BEFORE THE NRC**

(**Stacy Welling Haughey** read the official timekeeping procedures and guidelines for the meeting's public appearances which began at 5:19 p.m.)

**Phil Wirtanen/Dick Pershinske, UP Citizen's Advisory Council (CAC) Support** provided an overview of the UP CACs. **Wirtanen** said that the councils' functions are to assist the department in suggesting a change or enhancement to wildlife or fisheries orders and to help the department become more efficient and effective in carrying out their responsibilities to the citizens of Michigan. **Wirtanen** said that the CACs pass resolutions and forward them on to the director to determine if the resolutions are topics that should be brought before the commission.

**Mr. Pershinske** shared why the CAC came into being and its responsibilities along with memories of his last ten years on the council. He spoke highly of the dedication and professionalism of the department's staff. **Pershinski** thanked the commission for the opportunity and said that he will be stepping down when his term ends in December. **Pontz, Creagh** and **Richardson** thanked **Pershinske** for his dedicated service.

**Ed Beckley** talked about the unknowns with the new CWD regulations and said that he is working with his local conservation officers to try to help put the regulations out there for the public to better understand. He is asking for clarification on attractants; the bottles on

ATA- approved scents aren't marked but 43 packaging is. **Beckley** said it seems that this part of the CWD regulations are unenforceable. Regarding the baiting ban, **Beckley** said that in response many more hunters will be planting food plots. He also asked about the difference between Tribal regulations and citizen regulations when it comes to bear baiting. **Creagh** commented that some of his issues had great merit and that **Beckley** provide assistance to the department in an effort to make the regulations more clear.

**Dean Dallavalle** shared some suggestions on the youth bear hunting weekend; he is a hunter safety instructor and would like to see a change in regulations made so that there would be one bear tag for youth ages of 12-16 in each of the state's 83 counties for instructors use to provide a hands on experience for the youth hunter who is taking the hunter safety class. His suggestion is to let the student pick the bear management unit where they would like to hunt and allow them to hunt the entire bear season. Instructors are the core of the future of hunting; this would be a great promotional tool. The youth hunter would be taught hands-on how to safely hunt. **Dallavalle** suggested that this could be started with a two or three year trial basis, to collect data. **Commissioner Richardson** commented that this would be a good teaching/promotional tool.

**Mike Taylor**, representing UP Whitetails Marquette County, MUCC and UPSA spoke about getting the word out on CWD in the UP. UP Whitetails is running ads on the disease. **Taylor** requested any and all information on the CWD from the department so they can share the messages at several upcoming banquets. He thanked the department and the commission for being proactive.

**Brian Reynolds** said that the good news on wolves is that the House Natural Resources Committee passed the Manage Our Wolves Act to remove endangered species protections currently on gray wolves throughout the contiguous lower 48 states. If passed, wolf management will be returned to the states. **Reynolds** spoke about the need for conservation officers (COs) to be allowed more than 16 hours of overtime during deer seasons; he would like to see that amount doubled so COs can be more visible during rifle deer season. He also stated that there is a need to have more enforcement along the Wisconsin border. **Reynolds** requested that the department speak with local law enforcement agencies about assisting in watching the Michigan/Wisconsin border. **Reynolds** suggested that game purchased lands be open for people to assist and work on the land to make them better for all game species, similar to how the grouse enhanced management sites are managed. On these lands he would like to see people be allowed to go in and work on the ground in conjunction with the department to make the land better for game species.

**Roy Dahlgren** from UP Trappers talked about the issue they are having with animal control permits; they would like to utilize trapped animals rather than see them wasted as policy is stated. As the policy states, if the trapper is a licensed wildlife rehabber they can utilize the animal, but a licensed animal control business cannot. He would like to see this wording amended. **Dahlgren** would like to see the beaver season extended through the end of April, due to the long periods of being iced over in the UP. He said that the beaver and otter populations are exploding.

**Frank Wardynski**, director, MI Cattlemen's Association, an Ontonagon county resident who works for MSU Extension, thanked the commission for the baiting ban in the Lower Peninsula. It is impactful to the cattle producers in the Northern Lower Peninsula. The Association's main

concern is bovine tuberculosis and is a high priority to them and hope it is for the department as well.

**George Lindquist**, president, MUCC, spoke about wolf management and perceptions. He said the talk about delisting wolves has been going on for over 20 years. If wolves get delisted the groundwork needs to be in place. **Lindquist** said that a management plan needs to be created on a landscape basis. The director responded that the department has been working very hard on this issue on the role that sportsmen and women play in the management of that resource.

**Don Bell**, president, Archery Bear Hunters of Michigan, spoke highly of the department's management of Michigan's bears. The Bear Forum is currently working on a 10-year management plan for black bear in Michigan with completion in December. **Bell** closed by adding that he was in favor of **Dallavalle's** proposal regarding having one youth bear tag in each of the 83 counties for those in the hunter safety program.

**Trevor St. John**, director of forest resources and management at St. John's Forest Management Products, which own and manage over 32,000 acres of forest land in the central UP, shared that he has spent much time in the woods since his youth and he has an issue with the negative impacts that unchecked deer herds have on the state's forests. He would like to see deer management unit 022 opened to antlerless hunting as should 255, where the antlerless quota was slashed in half. Deer need to be managed with consideration of the consequences they can cause on the landscape; forests cannot sustain with this continued damage. **St. John** added the regulation amendments should be made with solid evidence and sound science, not special interests.

**Jim Engel**, chapter president, UP Trappers said that the group voted in 2015 to get both an extra fisher and extra marten; the department thought the population was too low at that time. They would like to see the beaver season prolonged through the end of April. **Engel** thanked the commission for extending the season to two full weeks. UP Trappers' next goal is to prolong beaver season until end of April and they would like the commission to review their proposals.

**Bill Leder**, president, Copper Country chapter of Trout Unlimited stated that their mission is to conserve, protect and restoring cold water fisheries in Michigan's western UP. **Leder** talked about the 10 brook trout limit in certain streams in the UP that was approved six years ago. He said that increasing that bag limit was contrary to the statewide survey and there was not a sound scientific reason for that increase. In 2017, this limit was increased to a 10-bag limit on over 1,100 miles of streams in the UP. This change was made with little biological data and no plans to monitor the impacts going forward. The department has now come forward with a recommendation to increase this bag limit to 2,750 miles of stream. They are urging the commission to discontinue the 10 brook trout limit in the UP.

**John Highlen**, vice president, Fred Waara Chapter, Trout Unlimited does not think there has been enough time to evaluate the 10 brook trout bag limit and would like the regulations evaluated before adding more streams to the list.

**Seth Waters** owns a fly shop in Iron River, Dark Waters Supply Shop, said that he loves living in the UP. Since moving there, **Waters** has opened fly shop and an adjacent coffee shop; he is extremely invested in the community and tourist promotion. Specifically talking about Iron River, **Waters** said that this year he had tourists come into his shop from many different states and

that anyone who knew about brook trout bag limit increase said that it is having a negative impact; if the increased bag limits continue on additional trout streams the anglers would find other states and streams to fish. **Waters** added that there is too much risk without guaranteed return. He urged the commission to use sound science to make any changes.

**Chair Pontz adjourned the public appearances portion of the meeting at 6:31 p.m. and called to order the regular meeting of the NRC at 6:32 p.m. She noted that all commissioners who were present at the Committee of the Whole were present for the regular meeting.**

**REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION**

**FOR INFORMATION ONLY – NATURAL RESOURCES COMMISSION**

**Pontz** reviewed the items up for information only.

**Special Fishing Regulations for Warmwater Species on Select Waters, Fisheries Order 206.19, FOR INFORMATION ONLY**

**Designated Trout Streams for Michigan, Fisheries Order 210.19, FOR INFORMATION ONLY**

**State-Licensed Commercial Fishing, Fisheries Order 243.18, FOR INFORMATION ONLY**

**Fishing Tournament Registration, Fisheries order 250.19, FOR INFORMATION ONLY**

**NATURAL RESOURCES COMMISSION ACTION ITEMS**

**Approval of Minutes, August 9, 2018, 2018 Natural Resources Commission Meeting**

**Commissioner Tracy** made a motion that the minutes of the August 9, 2018 NRC meeting be approved. **Commissioner Walters** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Order to Expand the Boundary of Highland Field Trial Lands, Wildlife Conservation Order Amendment No. 15 of 2018**

**Commissioner Klarr** made a motion that Wildlife Conservation Order Amendment No. 15 of 2018, Order to Expand the Boundary of Highland Field Trial Lands, be adopted. **Commissioner Walters** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Spawning Closures, Fisheries Order 204.19**

**Commissioner Walters** made a motion that Fisheries Order 204.19, Spawning Closures, be adopted. **Commissioner Klarr** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Fishing Regulations – Sylvania Wilderness Area – Ottawa National Forest, Gogebic County, Fisheries Order 212.19**

**Commissioner Richardson** made a motion that Fisheries Order 212.19, Fishing Regulations – Sylvania Wilderness Area – Ottawa Nation Forest, Gogebic County, be adopted.

**Commissioner Walters** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion carried unanimously.

**Netting Regulations, Fisheries Order 229.18A**

**Commissioner Klarr** made a motion that Fisheries Order 229.18A, Netting Regulations, be adopted. **Commissioner Richardson** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion passed unanimously.

**Ice Fishing Shanty Regulations, Fisheries Order 251.18**

**Commissioner Walters** made a motion that Fisheries Order 251.18, Ice Fishing Shanty Regulations, be adopted. **Commissioner Klarr** supported the motion. **Pontz** called for discussion, there being none, a vote was taken and the motion passed unanimously.

**DIRECTOR'S ACTION ITEMS**

**Chair Pontz** listed the director's action items on the agenda and **Creagh** indicated he would approve all items.

**COMMISSIONER REPORTS**

**Commissioner Walters** attended former wildlife division chief Merrill "Pete Petoskey's" memorial service; the Higgins Lake property owners' association annual meeting, where topics included swimmers itch and development along lakeshores; Michigan Trout Unlimited aquafer event; a bovine tuberculosis meeting; the Anglers of Au Sable river cleanup; and spoke at the 100 Years of Elk celebration.

**Commissioner Richardson** thanked everyone for attending and seeing this beautiful area of the UP.

**Commissioner Klarr** has spent much time during the past month hunting and fishing. She will be heading to British Columbia on a moose hunt in the next couple of weeks.

**Commissioner Tracy** thanked commissioner **Richardson** and the local staff for their assistance in putting on the events and meeting at Porcupine Mountains Wilderness State Park.

**Chair Pontz** has been consulting with Leed New York; they are now going to be putting on agriculture and natural resources leadership programs for the state of New York. She has had several discussions with hunters on communication, the enforcement period, and the education period with regard to the CWD regulations.

**Next Meeting**

**Chair Pontz** announced that the next meeting of the NRC is scheduled for Thursday, October 11, 2018, at the MSU Veterinary Diagnostic Laboratory, 4125 Beaumont Road, Lansing.

**Adjournment**

**Commissioner Walters** made a motion to adjourn. **Commissioner Klarr** supported the motion and the meeting was adjourned at 6:41 p.m.

  
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Vicki J. Pontz, NRC Chair

  
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Keith Creagh, DNR Director

10/11/18